

REMARKS

Claims 1, 2 and 4 are pending in this application, of which claim 1 has been amended.

Claim 3 is canceled. No new claims have been added.

The Examiner has rejected claim 1 based on *res judicata* (previously adjudicated). The Examiner has indicated that claim 1, now containing the limitations of canceled claim 3, was presented to the Board of Appeals in an Appeal Brief filed June 25, 2004, and was determined to be unpatentable over the combinations of **Robinson et al.** and **Kawasaki et al.** under 35 U.S.C. § 103(a) in a decision by the Board handed down on February 15, 2006.

Claims 1, 2 and 4 stand rejected under 35 U.S.C. § 103(a) as unpatentable over **Robinson et al.** in view of **Kawasaki et al.** (both previously applied).

Applicants respectfully traverse this rejection.

As noted in Applicants' previous response, **Kawasaki et al.** teaches only one powered state, which occurs only when a predetermined space occurs in the buffer region by transferring data to the host. The other state, in which the buffer is completely full of data to be transferred to the host, consumes no power.

This is in contrast to the present invention, in which there are two power on states, where one is a high (active) mode for reading data from the memory card to the buffer at a high bit rate, and the other is a low (standby) mode in which the memory card waits for a next memory access while the buffer outputs data at a low rate.

Thus, Kawasaki et al. may not be combined with Robinson et al. to teach the present invention and claim 1 has been amended to clarify these two powered modes.

Thus, the 35 U.S.C. § 103(a) rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, claims 1, 2 and 4, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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